

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EDMUND F. BALL III,

Petitioner,

v.

RON HAYNES,

Respondent.

Case No. 3:19-cv-5135-RSM-TLF

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court has reviewed the Report and Recommendation filed in this case and Petitioner's Objections. Dkts. #23 and #25. The Court finds no error in the Magistrate Judge's analysis and agrees that this petition is untimely, that an evidentiary hearing is unwarranted, and that a certificate of appealability should not issue. Having reviewed these filings, the Petition for writ of federal habeas corpus relief, and the remaining record, the Court hereby finds and ORDERS:

- (1) the Magistrate Judge's Report and Recommendation (Dkt. #23) is approved and adopted;
- (2) Petitioner's federal habeas corpus petition is DISMISSED with prejudice;
- (3) Petitioner's request for a certificate of appealability (COA) is DENIED; and

1 (4) the Clerk is directed to send copies of this Order to Petitioner, to Magistrate Judge
2 Theresa L. Fricke, and to any other party that has appeared in this action.

3 DATED this 21st day of September, 2020.
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7 RICARDO S. MARTINEZ
8 CHIEF UNITED STATES DISTRICT JUDGE
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